

ANNEXATION ORDINANCE NO. X- 01-90

AN ORDINANCE annexing certain territory commonly known as the East End Annexation Area to Fort Wayne and including the same in Councilmanic District No. 1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and

the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of Section 8, 9, 16, and 17, Township 30 North, Range 13 East, Allen County, Indiana to wit: Beginning at the intersection of the centerline of Coliseum Blvd. South with the north right-of-way line of the Norfolk and Western Railway Co.; thence Easterly along said north right-of-way line also being the corporate limits to the east line of Section 8; thence South along the east line of Section 8 to the north right-of-way line of Old Lincoln Highway also known as Old Maumee Road; thence East along said north right-of-way line to the north prolongation of the east right-of-way line of Meyer Road; thence South along said prolongation and east right-of-way line of Meyer Road to the north line of the Northwest Quarter of Section 16, Township 30 North, Range 13 East; thence East along said north line to the east line of the Northwest Quarter of said Section 16; thence South along the east line of said Northwest Quarter to the north right-of-way line of Moeller Road; thence West along the said north right-of-way line and Westerly prolongation thereof to the west right-of-way line of Meyer Road; thence Southwest along the west right-of-way line of Meyer Road to the southerly right-of-way line of the Penn Central Railroad; thence Northwesterly along the southerly right-of-way line of the Penn Central Railroad to the west line of the Northeast Quarter of Section 17, Township 30 North, Range 13 East also being the Corporate limit; thence North along said west line 278 feet to the north right-of-way line of the Fort Wayne Union Railway Co.; thence North 74 degrees, 44 minutes, 14 seconds West along the north right-of-way line of the Fort Wayne Union Railway Co., a distance of 271.44 feet; thence North 00 degrees, 53 minutes, 37 seconds West a distance of 1,374 feet to the centerline of Pontiac Street; thence East along said centerline to the centerline of Coliseum Blvd. South; thence North along said centerline to the point of beginning containing 628 acres more or less.

1 The boundaries of said territory are those outlined in the
2 location map designated "East End Annexation", two copies of
3 which are on file in the office of the Clerk of the City of
4 Fort Wayne and available for public inspection as provided
5 by law.

6 SECTION 2. That the City of Fort Wayne will furnish
7 the above described territory within a period of one (1)
8 year from the effective date of annexation, planned services
9 of a non-capital nature, including police protection, fire
10 protection, and street and road maintenance, in a manner
11 which is equivalent in standard and scope to those non-
12 capital services provided to areas within the City of Fort
13 Wayne which have similar topography, patterns of land
14 utilization and population density to the said described
15 territory. The City of Fort Wayne will also provide
16 services of a capital improvement nature, including street
17 construction, street lighting, sewer facilities, water
18 facilities and stormwater drainage facilities to the annexed
19 territory within three (3) years of the effective date of
20 annexation, in the same manner as such services are provided
21 to areas already in the City of Fort Wayne with similar
22 topography, patterns of land utilization and population
23 density, and in a manner consistent with federal, state and
24 local laws, procedures and planning criteria.

25 SECTION 3. That governmental and proprietary services
26 will be provided to the above described territory in a
27 manner consistent with the written Fiscal Plan for the
28 territory developed by the Division of Community and
29 Economic Development. Said Plan was examined by the Common
30 Council of the City of Fort Wayne and is approved and
31 adopted by the Common Council by and upon the passage of
32 this Ordinance.

PAGE 3

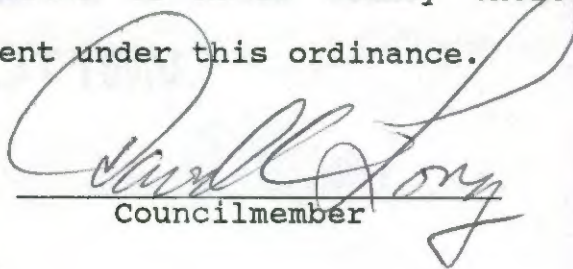
SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 1 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That, after its passage, and any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall in full force and effect. The above described territory shall become part of the City of Fort Wayne on December 31, 1990. In the event a sufficient remonstrance is filed, the effective date of annexation shall be thirty days after the termination of the final appeal period after a judicial disposition of the remonstrance favorable to the City of Fort Wayne. In the event that the final judicial disposition is not in favor of the City, the two year statutory moratorium shall apply to future annexation attempts.

SECTION 6. Property owners shall be entitled to an abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes, as provided by I.C. 36-4-3-8.5. Said tax abatement program shall be in effect for the two taxable years after December 31, 1990. Sixty-six percent (66%) of the taxpayer's liability for municipal purposes shall be abated in the first year of the abatement program. Thirty-three percent (33%) of the taxpayer's liability for municipal purposes shall be abated in the second year of the abatement program. On or before February 1 of each taxable year during the abatement program, the

PAGE 4

Division of Community and Economic Development, or its designated representative or successor, shall identify and certify to the Auditor of Allen County those properties eligible for abatement under this ordinance.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Delaney, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 3-13-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Delaney, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG				<u>✓</u>
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 3-27-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ (GENERAL)

(SPECIAL) ~~(ZONING MAP)~~ ORDINANCE RESOLUTION NO. X-01-90

on the 27th day of March, 1990,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1990, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of March, 1990, at the hour of 1:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. X-90-03-11

REPORT OF THE COMMITTEE ON ANNEXATION

DAVID C. LONG, CHAIRMAN
JANET G. BRADBURY, VICE CHAIRPERSON
BURNS, EDMONDS, HENRY

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain
territory commonly known as the East End Annexation Area
to Fort Wayne and including the same in Councilmanic District
No. 1

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

C.R. Edmund

DATED: 3-27-90

Sandra E. Kennedy
City Clerk

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE EAST END ANNEXATION ORDINANCE

X-90-03-11

DEPARTMENT REQUESTING ORDINANCE COMMUNITY AND ECONOMIC DEVELOPMENT

SYNOPSIS OF ORDINANCE 1. ANNEXES EAST END ANNEXATION AREA AS

DESCRIBED IN FORT WAYNE/NEW HAVEN SETTLEMENT AGREEMENT

2. PROVIDES THAT THE ANNEXATION IS EFFECTIVE DECEMBER 31, 1990.

3. PROVIDES FOR TWO YEAR TAX ABATEMENT.

EFFECT OF PASSAGE AREA WILL BE PART OF THE CITY

EFFECT OF NON-PASSAGE AREA WILL NOT BE PART OF THE CITY

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

5 year projected net revenue: \$2,568,479.00

ASSIGNED TO COMMITTEE (PRESIDENT) _____



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

March 30, 1990

Miss Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of
April 3 & April 10, 1990, in both the News Sentinel and
Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-90-03-11
Annexation Ordinance No. X-01-90
East End Annexation

Please send us 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 27th day of
March, 19 90, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. X-90-03-11 Annexation
Ordinance No. X-01-90 to-wit:

Bill No. X-90-03-11

ANNEXATION ORDINANCE NO. X- 01-90

AN ORDINANCE annexing certain territory
commonly known as the East End
Annexation Area to Fort Wayne and
including the same in Councilmanic
District No. 1.

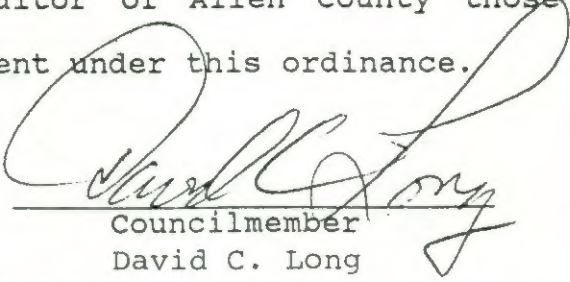
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be
and
the same is hereby annexed to, and made a part of, the
corporation of the City of Fort Wayne, Indiana, to-wit:

Part of Section 8, 9, 16, and 17, Township 30
North, Range 13 East, Allen County, Indiana to
wit: Beginning at the intersection of the
centerline of Coliseum Blvd. South with the north
right-of-way line of the Norfolk and Western
Railway Co.; thence Easterly along said north
right-of-way line also being the corporate limits
to the east line of Section 8; thence South along
the east line of Section 8 to the north right-of-
way line of Old Lincoln Highway also known as Old
Maumee Road; thence East along said north right-
of-way line to the north prolongation of the east
right-of-way line of Meyer Road; thence South
along said prolongation and east right-of-way line
of Meyer Road to the north line of the Northwest
Quarter of Section 16, Township 30 North, Range 13
East; thence East along said north line to the
east line of the Northwest Quarter of said Section
16; thence South along the east line of said
Northwest Quarter to the north right-of-way line
of Moeller Road; thence West along the said north
right-of-way line and Westerly prolongation
thereof to the west right-of-way line of Meyer
Road; thence Southwest along the west right-of-
way line of Meyer Road to the southerly right-of-
way line of the Penn Central Railroad; thence
Northwesterly along the southerly right-of-way
line of the Penn Central Railroad to the west line
of the Northeast Quarter of Section 17, Township
30 North, Range 13 East also being the Corporate
limit; thence North along said west line 278 feet
to the north right-of-way line of the Fort Wayne
Union Railway Co.; thence North 74 degrees, 44
minutes, 14 seconds West along the north right-of-
way line of the Fort Wayne Union Railway Co., a
distance of 271.44 feet; thence North 00 degrees,
53 minutes, 37 seconds West a distance of 1,374
feet to the centerline of Pontiac Street; thence
East along said centerline to the centerline of
Coliseum Blvd. South; thence North along said
centerline to the point of beginning containing
628 acres more or less.

PAGE 4

Division of Community and Economic Development, or its designated representative or successor, shall identify and certify to the Auditor of Allen County those properties eligible for abatement under this ordinance.


Councilmember
David C. Long

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Edmonds, GiaQuinta, Henry, Redd,
Schmidt, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Long

DATED: 3-27-90

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-90 on the 27th day of March, 1990.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Charles B. Redd
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1990, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk


Approved and signed by me this 29th day of March, 1990, at the hour of 1:00 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-90, passed by the Common Council on the 27th day of March, 19 90, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of March, 19 90, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of March, 19 90.

SEAL


SANDRA E. KENNEDY, CITY CLERK

Fort Wayne Common Council
(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

170 lines, 1 columns wide equals 170 equivalent lines
at .495 cents per line

\$ 84.15

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 86.15

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: April 10, 19 90

Title: Clerk

LEGAL NOTICE

Notice is hereby given that on the 27th day of March, 1990, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill: X-90-03-11 Annexation Ordinance No. X-01090.

WIT: Bill No. X-90-03-11 ANNEXATION ORDINANCE NO. X-01-90 (AN ORDINANCE annexing certain territory commonly known as the East End Annexation Area to Fort Wayne and including the same in Councilmanic District 1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory and the same is hereby annexed to, and made a part of the corporation of the City of Fort Wayne, Indiana:

WIT: Part of Section 8, 9, 16, and 17, Township 10 North, Range 13 East, Allen County, Indiana to wit: Beginning at the intersection of the center line of Coliseum Blvd.

South with the north right-of-way line of the Norfolk and Western Railway Co.; thence Easterly along said north right-of-way line also being the corporate limits of the east line of Section 8; thence South along the east line of Section 8 to the north right-of-way line of Old Maumee Highway also known as Old Maumee Road;

thence East along said north right-of-way line to the north prolongation of the east right-of-way line of Meyer Road; thence South along said prolongation of east right-of-way line of Meyer Road to the north line of the Northwest Quarter of Section 16, Township 10 North, Range 13 East; thence East along said north line to the east line of the Northwest Quarter of said Section 16; thence South along the east line of said Northwest Quarter to the north right-of-way line of Miller Road; thence West along the said north right-of-way line and Westerly prolongation thereof to the west right-of-way line of Meyer Road; thence South along the west right-of-way line of Meyer Road to the southerly right-of-way line of the Penn Central Railroad; thence Northwesterly along the southerly right-of-way line of the Penn Central Railroad to the west line of the Northeast Quarter of Section 17, Township 30 North, Range 13 East also being the corporate limit; thence North along said west line 278 feet to the north right-of-way line of the Fort Wayne Union Railway Co.; thence North 74 degrees, 44 minutes, 14 seconds West along the north right-of-way line of the Fort Wayne Union Railway Co., a distance of 71.44 feet; thence North 00 degrees, 53 minutes, 37 seconds West a distance of 1,374 feet to the centerline of Pontiac Street; thence East along said centerline to the centerline of Coliseum Blvd. South; thence North along said centerline to the point of beginning containing 628 acres more or less.

The boundaries of said territory are those outlined in the location map designated "East End Annexation", copies of which are on file in the office of the Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for

two time(s), the dates of publication being as follows:
4/3, 10/90

Subscribed and sworn to before me this 10th day of April, 19 90Notary Public Whitley County, IN
SHELLEY R. LARUEMy commission expires: March 3, 1994

Bill No. X-90-03-11
ANNEXATION ORDINANCE NO. X-01-90
AN ORDINANCE annexing certain territory commonly known as the East End Annexation Area to Fort Wayne and including the same in Councilmanic District No. 1.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the following described territory and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:
Part of Section 8, 9, 16, and 17, Township 10 North, Range 13 East, Allen County, Indiana to-wit: Beginning at the intersection of the center line of Coliseum Blvd. South with the north right-of-way line of the Norfolk and Western Railway Co.; thence Easterly along said north right-of-way line also being the corporate limits of Section 8; thence South along the east line of Section 8 to the north right-of-way line of Old Lincoln Highway also known as Old Maumee Road; thence East along said north right-of-way line to the north prolongation of the east right-of-way line of Meyer Road; thence South along said prolongation and east right-of-way line of Meyer Road to the north line of the Northwest Quarter of Section 16, Township 10 North, Range 13 East; thence East along said north line to the east line of the Northwest Quarter of said Section 16; thence South along the east line of said Northwest Quarter to the north right-of-way line of Joeller Road; thence West along the said north right-of-way line and Westerly prolongation thereof to the west right-of-way line of Meyer Road; thence Southwest along the west right-of-way line of Meyer Road to the southerly right-of-way line of the Penn Central Railroad; thence Northwest along the southerly right-of-way line of the Penn Central Railroad to the west line of the Northeast Quarter of Section 17, Township 10 North, Range 13 East also being the corporate limit; thence North along said west line 278 feet to the north right-of-way line of the Fort Wayne Union Railway Co.; thence North 74 degrees, 44 minutes, 14 seconds West along the north right-of-way line of the Fort Wayne Union Railway Co., a distance of 71.44 feet; thence North 00 degrees, 53 minutes, 37 seconds West a distance of 1,374 feet to the centerline of Pontiac Street; thence East along said centerline to the centerline of Coliseum Blvd. South; thence North along said centerline to the point of beginning containing 628 acres more or less.
The boundaries of said territory are those outlined in the location map designated "East End Annexation", two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as provided by law.
SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those noncapital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.
SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 1 of the City of Fort Wayne, Indiana, as described in Division, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.
SECTION 5. That, after its passage, and any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect. The above described territory shall become part of the City of Fort Wayne on December 31, 1990. In the event a sufficient remonstrance is filed, the effective date of annexation shall be thirty days after the termination of the final appeal period after a judicial disposition of the remonstrance favorable to the City of Fort Wayne. In the event that the final judicial disposition is not in favor of the City, the two year statutory moratorium shall apply to future annexation attempts.
SECTION 6. Property owners shall be entitled to an abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes, as provided by I.C. 36-4-3-8.5. Said tax abatement program shall be in effect for the two taxable years after December 31, 1990. Sixty-six percent (66%) of the taxpayer's liability for municipal purposes shall be abated in the first year of the abatement program. Thirty-three percent (33%) of the taxpayer's liability for municipal purposes shall be abated in the second year of the abatement program. On or before February 1 of each taxable year during the abatement program, the Division of Community and Economic Development, or its designated representative or successor, shall identify and certify to the Auditor of Allen County those properties eligible for abatement under this Ordinance.
Councilmember David C. Long
Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:
AYES: Eight
Bradbury, Burns, Edmonds, GiaQuinta, Henry, Redd, Schmidt, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Long
DATED 3-27-90
Sandra E. Kennedy
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-90 on the 27th day of March, 1990.
ATTEST:
Sandra E. Kennedy
City Clerk
Charles B. Redd
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1990, at the hour of 11:30 A.M., E.S.T.
Sandra E. Kennedy
City Clerk
Approved and signed by me this 29th day of March, 1990, at the hour of 1:00 P.M., E.S.T.
Paul Helmke
Mayor
I, The Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-90, passed by the Common Council on the 27th day of March, 1990, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of March, 1990, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of March, 1990.
Sandra E. Kennedy, City Clerk
4--3-10

Board of Accounts

non Council
al Unit)

County, Indiana

To:

The Journal-Gazette

P.O. Box 100
Fort Wayne, IN

Dr.

PUBLISHER'S CLAIM

not exceed two actual lines, neither of which shall total
es of type in which the body of the advertisement is set)
lines

notice

RGES

columns wide equals 170 equivalent lines

\$ 84.15

ices containing rule or tabular work
nt)

publication (\$1.00 for each proof in excess of two)

2.00

LAIM

\$ 86.15

OST

2.5 ems

and penalties of Chapter 155, Acts 1953,

oregoing account is just and correct, that the amount
er allowing all just credits, and that no part of the

, 19 90

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) as:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s) , the dates of publication being as follows:
4/3, 10/90

Subscribed and sworn to before me this 10th day of April, 19 90

Notary Public Whitley County, IN
SHELLEY R. LARUE

Mv commission expires: March 3, 1994

To: The News-Sentinel Dr.

P.O. Box 100

Fort Wayne, IN

Fort Wayne, IN

LINE COUNT

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

170 lines, 1 columns wide equals 170 equivalent lines
at .495 cents per line

\$ 84.15

**Additional charge for notices containing rule or tabular work
(50 percent of above amount)**

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 86.15

Width of single column 12.5 ems
Number of insertions 2
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: April 10, 1990

Title: _____ **Clerk**

State of Indiana)

) 89:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s). the dates of publication being as follows:

4/3, 10/90

Subscribed and sworn to before me this 10th day of April, 19 90.

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

LEGAL NOTICE

Notice is hereby given that on the 27th day of March, 1901, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill X-90-03-11 Annexation Ordinance No. X-01090 as follows:

**BILL NO. X-90-03-11
ANNEXATION ORDINANCE NO. X-01-90**

AN ORDINANCE annexing certain territory commonly known as the East End Annexation Area to Fort Wayne and including the same in Councilmanic District No. 1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory and the same is hereby annexed to, and made a part of the corporation of the City of Fort Wayne, Indiana,

To-wit:

Part of Section 8, 9, 16, and 17, Township 10 North, Range 13 East, Allen County, Indiana to-wit: Beginning at the intersection of the center line of Coliseum Blvd. with the north right-of-way line of the Norfolk & Western Railway Co.; thence Easterly along said north-right-of-way line also being the corporate limits hereof east line of Section 8; thence South along the east line of Section 8 to the north right-of-way line of Old Canal Highway also known as Old Maumee Road; thence East along said north right-of-way line to the prolongation of the east right-of-way line of Meyer Road; thence South along said prolongation of east right-of-way line of Meyer Road to the north line of the Northwest Quarter of Section 16, Township 10 North, Range 13 East; thence East along said north line to the east line of the Northwest Quarter of said section 16; thence South along the east line of said Northwest Quarter to the north right-of-way line of Keller Road; thence West along the said north-right-of-way line and Westerly prolongation thereof to the west right-of-way line of Meyer Road; thence Southwesterly along the west right-of-way line of Meyer Road to the southerly right-of-way line of the Penn Central Railroad; thence Northwesterly along the southerly right-of-way line of the Penn Central Railroad to the west line of the Northeast Quarter of Section 17, Township 30 North, Range 13 East also being the corporate limit; thence North along said west line 278 feet to the north right-of-way line of the Fort Wayne Railway Co.; thence North 74 degrees, 44 minutes, 14 seconds West along the north right-of-way line of the Fort Wayne Union Railway Co., a distance of 1,144 feet; thence North 00 degrees, 53 minutes, 37 seconds West a distance of 1,374 feet to the centerline of Pontiac Street; thence East along said centerline to the centerline of Coliseum Blvd. South; thence North 74° 44' 14"; and now contains all or parts of sections 8, 9, 16, and 17, Township 10 North, Range 13 East, Allen County, Indiana.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of March, 1901.

Sandra E. Kennedy, City Clerk

390, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill
o. X-90-03-11 Annexation Ordinance No. X-01090
t-wit:
Bill No. X-90-03-11
ANNEXATION ORDINANCE NO. X-01-90
AN ORDINANCE annexing certain territory commonly known as the East End Annexation Area to Fort Wayne and including the same in Councilmanic District No. 1.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the following described territory and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:
Part of Section 8, 9, 16, and 17, Township 10 North, Range 13 East, Allen County, Indiana to-wit: Beginning at the intersection of the center line of Coliseum Blvd. with the north right-of-way line of the Norfolk and Western Railway Co.; thence Easterly along said north right-of-way line also being the corporate limits of the east line of Section 8; thence South along the east line of Section 8 to the north right-of-way line of Old Lincoln Highway also known as Old Maumee Road; thence East along said north right-of-way line to the north prolongation of the east right-of-way line of Meyer Road; thence South along said prolongation and east right-of-way line of Meyer Road to the north line of the Northwest Quarter of Section 16, Township 10 North, Range 13 East; thence East along said north line to the east line of the Northwest Quarter of said Section 16; thence South along the east line of said Northwest Quarter to the north right-of-way line of Koeller Road; thence West along the said north right-of-way line and Westerly prolongation thereof to the west right-of-way line of Meyer Road; thence Southwest along the west right-of-way line of Meyer Road to the southerly right-of-way line of the Penn Central Railroad; thence Northwesterly along the southerly right-of-way line of the Penn Central Railroad to the west line of the Northeast Quarter of Section 17, Township 30 North, Range 13 East also being the corporate limit; thence North along said west line 278 feet to the north right-of-way line of the Fort Wayne Union Railway Co.; thence North 74 degrees, 44 minutes, 14 seconds West along the north right-of-way line of the Fort Wayne Union Railway Co., a distance of 271.44 feet; thence North 00 degrees, 53 minutes, 37 seconds West a distance of 1,374 feet to the centerline of Pontiac Street; thence East along said centerline to the centerline of Coliseum Blvd. South; thence North along said centerline to the point of beginning containing 628 acres more or less.
The boundaries of said territory are those outlined in the location map designated "East End Annexation", two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as provided by law.
SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those noncapital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.
SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 1 of the City of Fort Wayne, Indiana, as described in Division, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.
SECTION 5. That, after its passage, and any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect. The above described territory shall become part of the City of Fort Wayne on December 11, 1990. In the event a sufficient remonstrance is filed, the effective date of annexation shall be thirty days after the termination of the final appeal period after a judicial disposition of the remonstrance favorable to the City of Fort Wayne. In the event that the final judicial disposition is not in favor of the City, the two year statutory moratorium shall apply to future annexation attempts.
SECTION 6. Property owners shall be entitled to an abatement of a portion of their property tax liability under I.C. 6-1-1 for municipal purposes, as provided by C. 36-4-3-8.5. Said tax abatement program shall be in effect for the two taxable years after December 31, 1990. Sixty-six percent (66%) of the taxpayer's ability for municipal purposes shall be abated in the first year of the abatement program. Thirty-three percent (33%) of the taxpayer's liability for municipal purposes shall be abated in the second year of the abatement program. On or before February 1 of each taxable year during the abatement program, the Division of Community and Economic Development, or its designated representative or successor, shall identify and certify to the Auditor of Allen County those properties eligible for abatement under this Ordinance.
Councilmember
David C. Long
Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:
AYES: Eight
Bradbury, Burns, Edmonds, GiaQuinta, Henry, Tedd, Schmidt, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Long
DATED 3-27-90
Sandra E. Kennedy
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-90 on the 27th day of March, 1990.
ATTEST:
Sandra E. Kennedy
City Clerk
Charles B. Redd
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1990, at the hour of 11:30 A.M., E.S.T.
Sandra E. Kennedy
City Clerk
Approved and signed by me this 29th day of March, 1990, at the hour of 1:00 P.M., E.S.T.
Paul Helmke
Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-90, passed by the Common Council on the 27th day of March, 1990, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of March, 1990, and now remains on file and on record in my office.

City of Accounts

Council

t)

County, Indiana

General Form No. 99P (Revised 1987)

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

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Publication (\$1.00 for each proof in excess of two)

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Nicole Allred

19 90

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for two time (s), the dates of publication being as follows:

4/3, 10/90

Nicole Allred

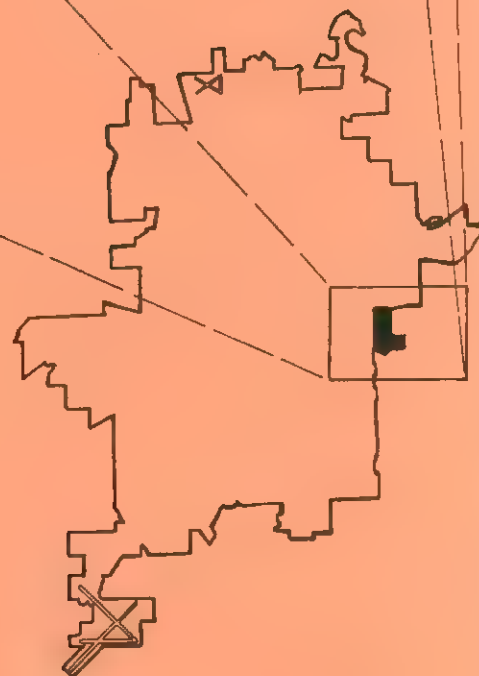
Subscribed and sworn to before me this 10th day of April, 19 90.

Shelley R. Larue

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

This is a detailed street map of a section of Chicago, Illinois. The map shows a grid of streets with a large, irregularly shaped area in the center shaded with diagonal lines, labeled "LOT LOTS". To the left of this shaded area, there is another shaded area labeled "LOT LOTS". The map includes numerous streets, including Madison Ave, Belmont Ave, and various residential streets like Sunwood Dr, Sunnyvale Dr, and Delwood Dr. The map is oriented with North at the top.



THE CITY OF FORT WAYNE

ADMINISTRATION AND POLICY DIRECTION

Paul Helmke
Mayor
City of Fort Wayne

Greg Purcell
Director
Division of Community Development and Planning

V.C. Seth, AICP
Director of Planning

Fort Wayne City Plan Commission

Stephen Smith, President
Mel Smith, Vice-President
Robert Hutner, Secretary
Mark Gensic
Charles E Layton
David Long
John Shoaff
Wil Smith
Yvonne Stam

RESEARCH AND PREPARATION

Gary Stair, Senior Planner
Pamela Holocher, Planner II
Dixon Lambert, Planner I

INTRODUCTION

This fiscal plan has been prepared to provide an assessment of the financial impacts of the annexation of an area referred to as the East End Annexation area. The report will describe basic data regarding the proposed annexation area, as well as, detail municipal services that Fort Wayne would provide to the proposed annexation area. It will also provide a projection of the anticipated revenues and expenses that would result from the annexation.

The annexation of the East End area has been pending for over 35 years. In January, 1951, the Board of Trustees of the Town of New Haven filed a petition for the annexation of the area between New Haven and the City of Fort Wayne. After the initial petition was filed, the City of Fort Wayne filed a petition staking claim to a portion of the described original area in the 1951 petition. Since that time numerous lawsuits had been filed, and as a result both Fort Wayne and New Haven had been unable to proceed with their petitions for annexation. In December of 1989, however, the City of Fort Wayne and the City of New Haven reached a settlement regarding the annexation boundaries and all pending lawsuits were dropped.

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SECTION ONE

BASIC DATA

A. LOCATION

The area proposed for annexation is located east of the City of Fort Wayne and is bounded on the north by the Norfolk and Western Railroad, on the west by the present City limits primarily along Coliseum Boulevard, on the South by the Penn Central Railroad and Moeller Road and on the east primarily by Meyer Road in sections 8, 16 and 17 in Adams Township, 30 North, Range 13 East (See Figure 1).

B. SIZE

The East End Annexation contains approximately 628 acres.

C. POPULATION

Block statistics from the 1980 Census of Population and Housing show that 0 persons reside in the annexation area.

D. BUILDINGS

Industrial	14 structures in good condition
Commercial	8 structures in good condition
Institutional	1 structure in good condition

E. PATTERNS OF LAND USE

	<u>Acres</u>	<u>Percent</u>
Industrial	468	74.5%
Agricultural	75	11.9%
Right-of-Way	48	7.6%
Commercial	28	4.5%
Vacant	8	1.3%
Institutional	<u>1</u>	<u>.2%</u>
TOTALS	628	100.0%

Map of the Los Angeles area showing the intersection of Highway 24 and Highway 30. The map includes the following streets and landmarks:

- Streets:** Main St, 1st St, 2nd St, 3rd St, 4th St, 5th St, 6th St, 7th St, 8th St, 9th St, 10th St, 11th St, 12th St, 13th St, 14th St, 15th St, 16th St, 17th St, 18th St, 19th St, 20th St, 21st St, 22nd St, 23rd St, 24th St, 25th St, 26th St, 27th St, 28th St, 29th St, 30th St, 31st St, 32nd St, 33rd St, 34th St, 35th St, 36th St, 37th St, 38th St, 39th St, 40th St, 41st St, 42nd St, 43rd St, 44th St, 45th St, 46th St, 47th St, 48th St, 49th St, 50th St, 51st St, 52nd St, 53rd St, 54th St, 55th St, 56th St, 57th St, 58th St, 59th St, 60th St, 61st St, 62nd St, 63rd St, 64th St, 65th St, 66th St, 67th St, 68th St, 69th St, 70th St, 71st St, 72nd St, 73rd St, 74th St, 75th St, 76th St, 77th St, 78th St, 79th St, 80th St, 81st St, 82nd St, 83rd St, 84th St, 85th St, 86th St, 87th St, 88th St, 89th St, 90th St, 91st St, 92nd St, 93rd St, 94th St, 95th St, 96th St, 97th St, 98th St, 99th St, 100th St.
- Landmarks:** Los Angeles River, Harbor, City Limits.
- Other Labels:** "LOS ANGELES", "CITY LIMITS", "1960".

LOCATION

F. ZONING

The East End Annexation area currently contains three zoning classifications (See Figure 2). Upon annexation, this area will be under the jurisdiction of the City Plan Commission and the zoning classifications will be as follows:

County Zoning Classification

I-1 Light Industrial
I-2 General Industrial
I-3 Heavy Industrial

City Zoning Classification

M1 Light Industrial District
M2 General Industrial District
M3 Heavy Industrial District

G. TOPOGRAPHY

The East End annexation area contains clay type soils. It has been determined using U.S. Geological Survey Maps that the area has a low relief and that the general slope of the area is approximately 1.0 percent.

H. ASSESSMENT

\$18,862,340

I. TAX RATE: ('88 payable '89 Rates)

Existing:	\$ 8.5678
After annexation:	\$11.5323
Increase	\$ 2.9645 (34.6 percent increase)

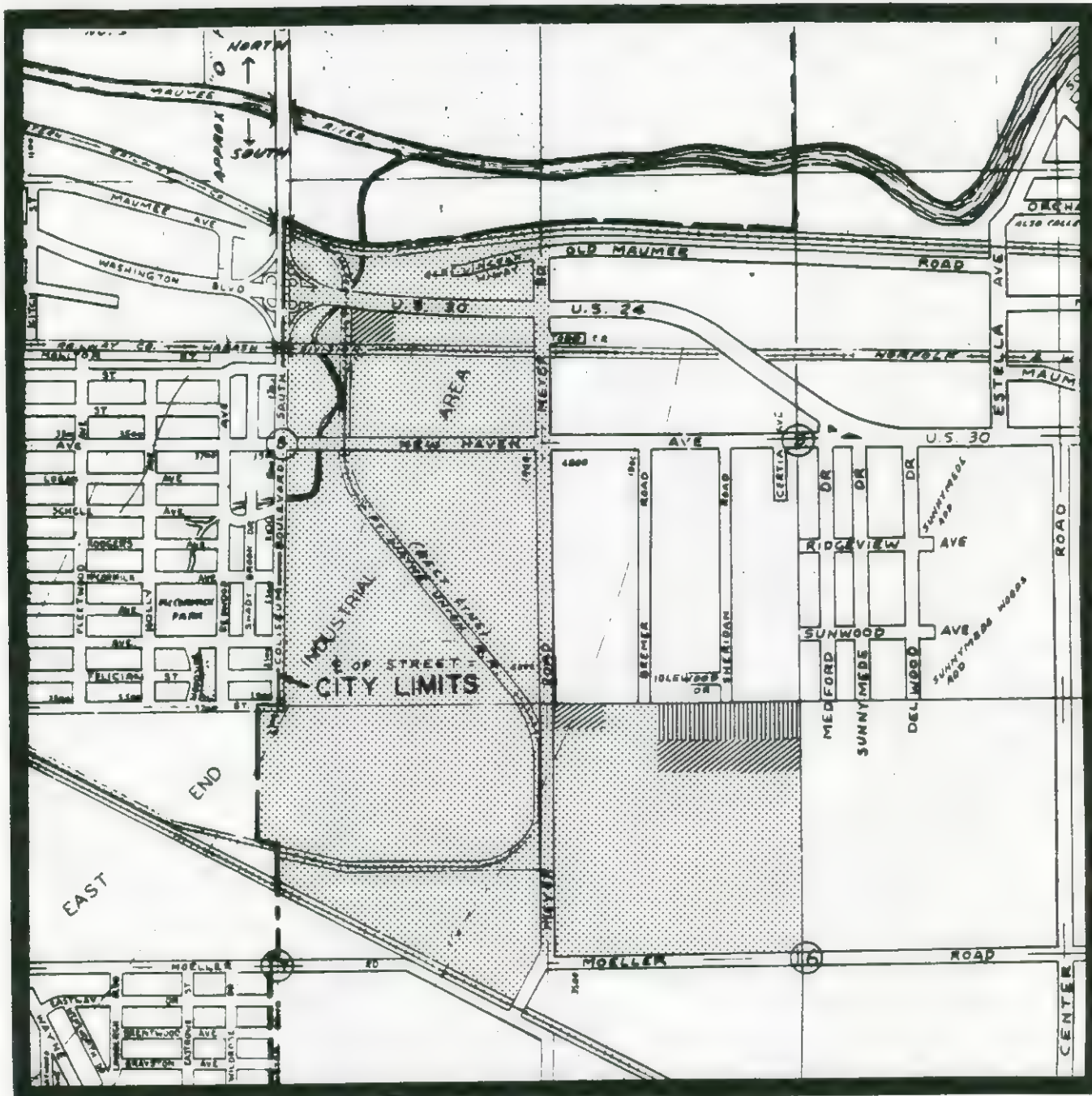
J. COUNCIL DISTRICT

The East End annexation area will be in City Council District 1.

K. SELECTED AREAS WITHIN CORPORATE BOUNDARIES WITH SIMILAR TOPOGRAPHY, PATTERNS OF LAND USE, AND POPULATION DENSITY

As the City of Fort Wayne has uniform service standards throughout its corporate boundaries, all areas of similar topography, patterns of land use, and population density receive the same level of service. A representative area within the City comparable in topography, patterns of land use, and population density to the East End Annexation area is the Taylor Street industrial area (See Figure 3). On page six is a comparison of the two areas.

ZONING






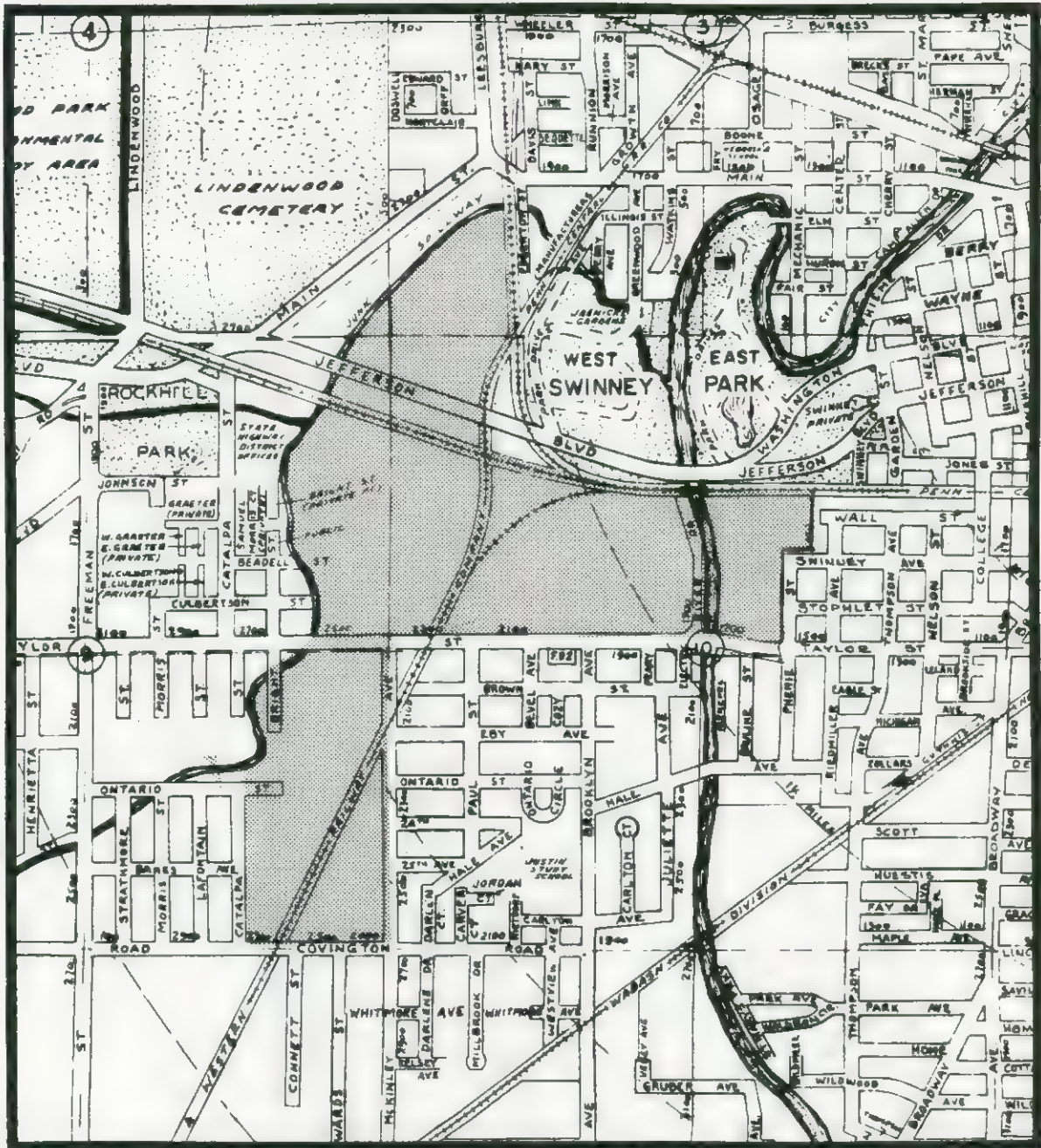
- | | | |
|-----|--------------------|---|
| I-1 | LIGHT INDUSTRIAL |  |
| I-2 | GENERAL INDUSTRIAL |  |
| I-3 | HEAVY INDUSTRIAL |  |

FIGURE 3

TAYLOR STREET INDUSTRIAL AREA



	<u>East End Annexation Area</u>	<u>Taylor Street Industrial Area</u>
Topography	Low relief, clay soil	Low relief, clay soil
Patterns of Land Use	Primarily industrial with some commercial	Primarily industrial with some commercial
Population Density	0 persons	0 persons

No areas within the City with similar topography, patterns of land use, and population density as the East End Annexation area are receiving services higher in standard or greater in scope than those services promised the East End Annexation area.

SECTION TWO

THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of the East End area is part of a larger, comprehensive annexation program which was promulgated in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City Limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the East End area met this criteria in 1975-76, the report identified it as part of a larger area which was recommended for annexation.

SECTION THREE

STATE LAW REQUIREMENTS

A. INTRODUCTION

When pursuing an annexation, a municipality must ensure that the proposed annexation is in accordance with the state law requirements as set forth in IC 36-4-3. The statute mandates that the courts accept the annexation if the area meets either of the following criteria:

1. The boundaries of the annexation area must be at least one-eighth (12.5 percent) contiguous to the corporate limits, and the area must meet one of the following conditions:
 - a. Have a population density of at least three persons per acre; or
 - b. Be zoned for commercial, business or industrial uses; or
 - c. Be at least 60 percent subdivided; or
2. The boundaries of the annexation area must be at least one-fourth (25 percent) contiguous to the corporate limits, and the area must be needed and can be used by the municipality for its development in the reasonably near future.

In either case, the municipality must also prepare a written Fiscal Plan for providing services to be furnished to the annexed territory, together with the methods for financing such services. The East End annexation meets both options which have been established to determine the validity of annexations. The remainder of the section will be devoted to explaining how this annexation meets the two annexation tests.

B. ONE-EIGHTH CONTIGUOUS

Figure 4 illustrates the length of the external boundaries of the annexation area. As can be seen, 40.4 percent of the annexation area's boundaries are contiguous to Fort Wayne. Therefore, this annexation easily meets the one-eighth 12.5 percent contiguity requirement mandated by state statute.

As mentioned in the introduction, if the annexation is at least one-eighth contiguous to the municipality, it can be annexed if any one of three conditions are met. The East End annexation meets one of the three options in that it is entirely zoned for commercial and industrial uses.

[illegible]

CONTIGUITY

<u>Contiguous</u>	<u>Not Contiguous</u>
A. 2700	G. 2550
B. 5000	H. 700
C. 275	I. 2650
D. 1600	J. 2600
E. 300	K. 2600
F. 900	L. 4825
<hr/> 10,775 (40.4%)	<hr/> 15,925 (59.4%)

C. CONCLUSION

The East End Area should be annexed into Fort Wayne because it satisfies the requirements that have been established by the State legislature: the annexation area is 40.4 percent contiguous to the City and is zoned for commercial and industrial uses.

SECTION FOUR

MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the East End Annexation Area. The plan also describes how and when the City plans to extend the services of non-capital and capital improvement nature. The following section demonstrates how the City will satisfy the requirements of Indiana State Law in provision of services and financing of same in an equitable manner.

As required by state law, the annexation area will receive planned services of a non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services are provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

The City of Fort Wayne has adopted uniform service standards within its corporate limits to guarantee that the annexation area will receive non-capital and capital services in a manner equivalent in standard and scope to all other areas of the City with similar topography, patterns of land use, and population density. To illustrate this comparison, the Taylor Street industrial area has been selected as a representative area within the corporate boundaries to the annexation area.

A. POLICE DEPARTMENT

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work and protection of constitutional rights. Lastly, the Police Department performs traffic control, promotes civil order and provides educational and technical assistance in the area of crime prevention and neighborhood services.

Police Districts 4 and 7 will be expanded to cover the East End Annexation Area upon annexation. The Police Department keeps tabulations on the percentage of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation.

This area will be provided with the same police protection services as provided to all other industrial and commercial areas throughout the City, including the Taylor Street industrial area.

The cost to provide protection to the annexation area will be \$663 a year. This cost is based a patrolman's average hourly rate of \$11.23 multiplied by an estimated 45 minutes spent per call. This total is then multiplied by the estimated number of calls (75 per year) for service to this area. This total cost, which equals \$631, is the direct personnel cost. A small non-personnel cost of 5 percent is then added on to the above total. This gives the overall cost of \$663 annually to service this area. Funding for police services in the annexation area will come from the Civil City Budget of the Police Department which is derived primarily from local property taxes through the General Fund.

CAPITAL COSTS: \$ 0
ESTIMATED ANNUAL COST: \$663

B. FIRE DEPARTMENT

The Fort Wayne Fire Department will be responsible for providing fire protection services to the East End annexation area immediately upon annexation. The services provided include fire protection and suppression, emergency rescue, fire prevention, and fire inspections. Primary response will come from Station 9 located at 2700 E. Pontiac. A class "A" pumper, and District Chief are located at this station. Back-up response will come from Station 1 at 400 E. Main, and Station 11, at Rudisill and Lafayette. The East End Annexation area will receive fire protection services which are comparable to the services received by other commercial and industrial areas within the City, including the Taylor Street industrial area.

The annexation of the East End Area will not require a new fire station nor will it require additional personnel or equipment. The only additional expense is expected to be operating costs, including gasoline, postage and photography. These operating costs are considered to be negligible since the annexation area represents only a small fraction of the total area serviced by the City. Funding for this increment in operating costs will come from the Fire Department's budget through the General Fund.

CAPITAL COSTS: \$0
ESTIMATED ANNUAL OPERATING COST: \$0

C. EMERGENCY MEDICAL SERVICE (EMS)

At the present time, Three Rivers Ambulance Authority is the

only provider of ambulance service to City residents. Persons working in the East End Annexation Area will receive full advanced life support ambulance service immediately upon annexation. These same emergency medical services and no others will be provided to the Taylor Street industrial area.

A number of ambulances are stationed throughout the City 24 hours a day. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. For some emergencies, such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Station 9. Secondary assistance from the Fire Department will come from Stations 1 and 11. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician. Therefore, if needed, firemen are able to administer medical treatment to residents before the ambulance arrives.

The method of financing emergency medical services is based on user fees. The charges for ambulance service are shown below :

TABLE 1

1. \$95 plus \$3 per loaded mile for non-emergency transfers scheduled 24 hours in advance.
2. \$120 plus \$3 per loaded mile for non-scheduled non-emergency transfers.
3. \$380 for emergencies for all City and non- City residents.

This method of financing permits service to be extended to the annexation area with its existing budget and no additional manpower or equipment will be needed to service the annexation area.

ESTIMATED ANNUAL COST: \$0

D. SOLID WASTE DISPOSAL

The City of Fort Wayne does not provide garbage collection to industrial and commercial areas. Likewise, no garbage collection service is being provided to the Taylor Street industrial area.

CAPITAL COSTS: \$0
ESTIMATED ANNUAL COST: \$0

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area immediately upon the effective date of annexation. Some of the

services that can be provided by the department are surveys and investigations of traffic conditions and problems. Finally, the department provides installation and maintenance of traffic control devices such as stop lights, control signs, and fire alarm systems. These same services, and no others, are provided by this department to the Taylor Street industrial area.

The Traffic Engineering Department will not require additional personnel to perform its services in the East End Annexation Area. Capital and labor costs will be \$191 for the installation of street signs in the area. Funding sources for these services will be from real estate taxes, Motor Vehicle Highway (MVH) funds, and Revenue Sharing Funds.

CAPITAL COSTS: \$191
ESTIMATED ANNUAL COSTS: \$717

TABLE 2

STREET SIGNAGE COSTS

<u>SIGN</u>	<u>SIZE</u>	<u>NO. REQUIRED</u>	<u>COST</u>	<u>TOTAL COST</u>
Railroad	30"	1	\$29.15	\$29.15
Speed Limit 40	24" x 30"	1	\$19.30	\$19.30
Street Name	24" x 6"	1	\$49.90	\$49.90
TOTAL				\$98.35
<u>POSTS</u>				
12'3 lb.		2	\$15.65	\$31.30
12'2 lb.		1	\$11.25	\$11.25
TOTAL				\$42.55

LABOR: \$50.10

GRAND TOTAL LABOR AND MATERIAL: \$191.00

F. STREETS AND ROADS

The incorporation of the annexation area will add .67 miles of arterial streets, and .5 miles of state highways to the City's street system. The State will be responsible for maintenance of the State Highway and the Fort Wayne Street Department will be responsible for the general maintenance of all other streets in the annexation area within one year after the annexation. General maintenance includes snow and ice removal and surface maintenance. The Street Engineering Department will provide engineering services and construction supervision for all streets, alleys, and sidewalks that will be constructed within the proposed annexation area. The

provision of these services to the annexation area will not require any additional personnel or equipment. These same services, and no others, are being provided to the Taylor Street industrial area.

The average cost of general street maintenance is \$2,500 per mile of street per year, so the annexation will cost the City approximately \$1,675 a year in street maintenance costs. The source of funding for street maintenance is the Street Department budget which is composed of funds from the Motor Vehicle Highway (MVH) program. The Street Engineering Department funds come from MVH, Federal Aid Urban (FAU), and Local Arterial Roads and Streets (LARS) programs.

CAPITAL COSTS: \$0
ESTIMATED ANNUAL COST: \$1,675

G. PARKS AND RECREATION

The East End Annexation area is located within the New Haven/Adams Township Park District. This area will continue to be served by the park district subsequent to the effective date of annexation. Property owners within the annexation area will continue to support this district through the district park tax, which they are currently paying.

CAPITAL COSTS: \$0
ESTIMATED ANNUAL COST: \$0

H. WATER

The Fort Wayne Water Utility is presently serving the annexation area. If requested, the utility has the capacity and the capability to provide sufficient volumes of water to the portions of the annexation area not presently receiving water services. The extension of water services to individual developments will be considered once the property owners in the area petition for such service. This procedure is the same as that being used in all areas within the City, including the Taylor Street industrial area.

CAPITAL COSTS: \$0
ESTIMATED ANNUAL COST: \$0

I. FIRE HYDRANTS

The City pays the Fort Wayne Water Utility \$183.83 annually for each fire hydrant located within the City. Since the annexation area contains twenty-one fire hydrants, the City will pay the utility \$3,860 a year after the area is annexed into the

City. This money will be taken from the General Fund.

CAPITAL COSTS: \$ 0
ESTIMATED ANNUAL COST: \$3,860

J. SANITARY SEWERS

The Fort Wayne Department of Water Pollution Control (WPC) presently provides sanitary sewers to the annexation area, as well as the Taylor Street industrial area. If additional sewer service is desired, the Water Pollution Control Department has the capability to provide this service as a main interceptor runs through the area. The property owners, however, will first have to petition for such service. Property owners will also have to pay for the installation of the sewers.

CAPITAL COSTS: \$0
ESTIMATED ANNUAL COST: \$0

K. STORM SEWERS

Upon annexation, the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the property owners of the area. The City does not have storm sewer relief funds available for this type of project. It is the City's policy, for all properties within the City, that the financing of storm sewers is the responsibility of property owners. This is the same policy that applies to the Taylor Street industrial area.

CAPITAL COSTS: \$0
ESTIMATED ANNUAL COST: \$0

L. STREET LIGHTING

It is the goal of the City of Fort Wayne Street Lighting Department to light every unlit intersection within the City limits, to reduce night accidents, facilitate traffic flow, aid police protection and inspire community spirit and growth. This is the same service as provided to the Taylor Street industrial area. The City of Fort Wayne will assume all costs for existing lighting, located within public right-of-way, as well as construct new lighting at all unlit intersections upon the effective date of annexation. The costs to assume the existing lighting is projected to amount to \$1,400, in capital costs, and \$332, in annual operating costs. Additional lighting will be installed at each intersection, within three years, by the Street Department, at no cost to the property owners. All lighting will meet minimum City standards. The cost for the installation of standard intersection

lighting will amount to \$7,500, in capital costs, and \$202 in annual operating costs. In assessing the annual operating costs it is assumed that the fifteen street lights will not be constructed until the third year.

Any additional lighting must be petitioned for by the property owners involved per State Statute. If the property owners prefer to have ornamental lights or underground wiring, they will also have to petition for them and will be assessed for the cost of such installation. The money for the installation and operation of street lights will come from the City Utilities budget.

CAPITAL COSTS: (the first year)	\$1,400
CAPITAL COSTS: (the third year)	\$7,500
ESTIMATED ANNUAL COSTS: (the first year)	\$ 332
ESTIMATED ANNUAL COSTS: (the third year)	\$ 534

M. LIABILITY FOR TOWNSHIP DEBT

State law (36-4-3-10) mandates the apportionment of debt from the township upon annexation. Using the 1988 payable 1989 Adams Township fire debt tax rate, the City will incur an annual liability for the township's bonded indebtedness of approximately \$30,199. All current indebtedness will be retired in 1993. Therefore, the City will only be responsible for debt payments through the year 1993. Also, the City will not be responsible to make a debt payment until 1992. Adams Township will make the debt payment due in 1991 from the taxes it collects during 1990, before the area is incorporated by the City of Fort Wayne.

CAPITAL COST:	\$30,199
ESTIMATED ANNUAL COST:	\$ 0

N. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the East End Annexation Area immediately upon the date of annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly. The above described services are the same as provided to the Taylor Street industrial area.

CAPITAL COSTS:	\$0
ESTIMATED ANNUAL COST:	\$0

SECTION FIVE

PLAN FOR HIRING GOVERNMENTAL EMPLOYEES DISPLACED BY ANNEXATION

It is believed that this annexation, along with the New Haven West annexation, will displace as many as six paid Adams Township fire fighters. The plan for displaced employees is as set forth in the settlement agreement which was filed with Noble Circuit Court on December 29, 1989. The following is the plan for hiring displaced employees as described in the settlement agreement.

"The City of Fort Wayne and the City of New Haven do hereby agree to give priority for employment to any current Adams Township Fire Department employees displaced as a result of the annexations herein described. It is further understood and agreed that the City of Fort Wayne will offer employment to three such displaced fire department employees. Said offers of employment will be conditioned upon the employee's qualifications and ability to perform the job considered, bid, and applied for. In addition, said displaced employees must apply for employment within six months of displacement. This agreement does not obligate the City of Fort Wayne to provide jobs within the Fort Wayne Fire Department."

SECTION SIX

FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to project the revenues and expenditures from the proposed East End Annexation. This section will also provide a five year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the East End Annexation area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Adams Township Assessor. The formula for computing tax revenue is shown in Table 3.

TABLE 3				
	$\frac{V}{100}$	(T)	=	TR
WHERE:	V	=	Assessed Valuation	
	T	=	Tax Rate Difference	
	TR	=	Tax Return	
TAX REVENUE FORMULA				

The total assessed valuation of the proposed East End Annexation is \$18,862,340. The assessment is then computed with the Fort Wayne/Adams Township municipal tax rate, less that part the residents are presently paying, or \$4.0535 per \$100 of assessed valuation. Table 4 details the components of this rate. Property tax revenue for 1989 can then be determined by applying the City tax rate to this figure giving a total property tax revenue of \$696,586. Using a five percent annual rate of inflation, the property tax revenue for 1992, the first year taxes would be due after annexation, would be \$806,385. If we apply the sixty-six (66) percent abatement (as proposed by the City for taxes due in 1992) to this figure, the net revenue figure becomes \$274,171. (A portion of this revenue would be supplied from the State Property Tax Relief Fund). A thirty-three (33) percent abatement is used to calculate property tax revenue for 1993, with full taxes due in 1994.

This annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local Arterial Roads and Streets (LARS) Funds. This is because these funds are allocated according to street miles. In 1988, the City received \$5,374.90 per street mile from the Motor Vehicle

Highway (MVH) Fund and \$2,342.20 from the Local Arterial Roads and Streets (LARS) Fund. The annexation area will add .67 miles to the City's street system. Therefore, the City will receive an additional \$3,601 from Motor Vehicle Highway (MVH) and an additional \$1,569 from Local Arterial Roads and Streets (LARS) because of the East End annexation.

TABLE 4

Corporation General	\$2.0854
Corporation Debt Service	.4197
Fire	.8171
Firemen Pension	.1754
Policemen Pension	.1607
Redevelopment General	.0126
Sanitary Officers Pension	<u>.0221</u>
	\$3.6930

TAXING DISTRICT RATE

In addition to property taxes and highway funds, the City receives revenues from the Community Development Block Grant, the Cigarette Tax and the Alcoholic Beverage Tax. These grants and funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the East End Annexation cannot be calculated. Still, these funds will increase with city population increases.

B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 5. Capital costs are one time expenditures, while, operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, capital improvement projects such as the construction of streets, curbs, and sidewalks must follow routine city procedures which often require petitioning.

On the following page Table 5 details the costs that will be incurred by each department upon the annexation of the East End area.

TABLE 5

<u>DEPARTMENTS</u>	<u>CAPITAL COSTS</u>	<u>OPERATING COSTS</u>
Police Department	\$ 0	\$ 663
Fire Department	0	0
EMS	0	0
Solid Waste Disposal	0	0
Traffic Control	191	717
Streets	0	1,675
Street Lighting (first year)	1,400	332
Street Lighting (third year)	7,500	202
Parks	0	0
Water	0	0
Fire Hydrants	0	3,860
Sanitary Sewer	0	0
Storm Sewer	0	0
Liability For Township Debt (second and third year)	30,199	0
Administrative Functions	0	0
TOTALS	\$39,290	\$ 7,449
EXPENDITURES		

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the East End Annexation Area for the first five years after it is incorporated into the City of Fort Wayne.

The summary automatically includes for each of the five years a 5 percent inflation factor for municipal expenditures, and a 5 percent increase factor for City revenues. The 5 percent inflation factor is the implicit price deflator as calculated by the U.S. Department of Commerce for 1987 through 1988.

Property tax revenue from the annexation area will not be collected until 1992. Assuming the area is annexed in December of 1990, assessment will not occur until March of 1991, with revenues being collected in 1992. Since revenues are not collected for one year after the effective date of annexation, the City will experience a loss of \$9,745 in 1990.

TABLE 6

	EXPENDITURES	PROPERTY TAX REVENUE	MVH & LARS	BALANCE
1991	\$ 9,745			\$ -9,745
1992	38,588	\$ 274,171	5,170	+240,753
1993	48,371	567,292	5,170	+524,091
1994	9,507	889,039	5,170	+884,702
1995	<u>9,983</u>	\$ <u>933,491</u>	<u>5,170</u>	<u>+928,678</u>
	\$116,194	\$2,663,993	\$20,680	<u>\$2,568,479</u>
REVENUES MINUS EXPENSES				

D. RECOMMENDATION

This Fiscal Plan, which meets the state law requirements that a fiscal plan be prepared, shows that the East End Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after the passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1990.

TABLE 7

		ADAMS TRANSIT	FT. WAYNE ADAMS
STATE	State Fair Board	.0035	.0035
	State Forestry	.0065	.0065
	Welfare HCI	.0637	.0637
	Welfare Administration	.0899	.0899
	TOTAL STATE	.1636	.1636
COUNTY	County General	.9667	.9667
	County Welfare	.1618	.1618
	County Health	.0685	.0685
	Cumulative Bridge	.0500	.0500
	County Bonds	.1209	.1209
	Cumulative Capital Devlmt	.0700	.0700
	Reassessment	.0100	.0100
	TOTAL COUNTY	1.4479	1.4479
TOWNSHIP	Township General	.0126	.0126
	Fire Protection	.3363	
	Township EMS	.0531	
	Fire Debt	.1601	
	Township Poor Debt Service	.0295	.0295
	TOTAL TOWNSHIP	.5916	.0421
SCHOOLS	School General	3.6321	3.6321
	School Debt	.4405	.4405
	Cumulative Building	.5000	.5000
	School Transportation	.4094	.4094
	TOTAL SCHOOLS	5.2188	5.2188
AIRPORT AUTHORITY	Airport General	.0974	.0974
	Airport Debt	.0426	.0426
	TOTAL AIRPORT	.1220	.1220
LIBRARY	Library Operating	.3709	.3709
	Library Bond	.0370	.0370
	TOTAL LIBRARY	.4079	.4079
PTC	PTC Operating	.1259	.1259
	PTC Debt	.0334	.0334
	TOTAL PTC	.1593	.1593

	Corporation General	2.0854	
	Redevelopment General	.0126	
CITY AND	Corporation Debt Service	.4197	
SPECIAL	Fire Pension	.1754	
TAXING	Police Pension	.1607	
DISTRICT	Fire	.8171	
	Parks & Recreation-New Haven	.3605	.3605
	Sanitary Officers Pen.	.0221	
	TOTAL CITY & SPECIAL	.3605	4.535
	DISTRICT		
	TOTAL TAX RATE	8.5678	11.5333

